JUL 1 2 2004 JUL

y W2122

<u> </u>		
(to be used for all correspondence after initial filing)	Application No.	09/967,220
	Filing Date	September 28, 2001
	First Named Inventor	Dong-Yuan Chen
	Art Unit	2122
	Examiner Name	Michael J. Yigdall
Total Number of Pages in This Submission	Attorney Docket Number	42390P11197

ENCLOSURES (check all that apply)					
Fee Transmittal For	rm	Drawing(s)	After Allowance Communication to Group		
Fee Attached	d	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences		
Amendment / Resp	onse	Petition	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final Affidavits/dec	claration(s)	Petition to Convert a Provisional Application	Proprietary Information		
Extension of Time R	Request	Power of Attorney, Revocation Change of Correspondence Address	Status Letter		
Express Abandonm	nent Request	Terminal Disclaimer	Other Enclosure(s) (please identify below):		
Information Disclos	ure Statement	Request for Refund	- check in the amount of \$180.00		
PTO/SB/08 Certified Copy of Procument(s)	riority	CD, Number of CD(s)	- copies of 4 cited references - return postcard		
Response to Missin Incomplete Application Basic Fil Declarate Response to Missin Incomplete Application Basic Fil Parts under 3	tion ing Fee ion/POA	Remarks			
1.52 or 1.53	5/ OFN				
	SIGNATURI	E OF APPLICANT, ATTORNEY, OR AG	ENT		
Firm or	Mark C. Van N	ess, Reg. No. 39,865			
	BLAKELY, S	OKOLOFF, TAYLOR & ZAFMA	AN LLP		
Signature /// ///					
Date July 7, 2004					
CERTIFICATE OF MAILING/TRANSMISSION					
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Typed or printed name	Typed or printed name Annie G. Pearson				
Signature	1 Amri D	020 0	Date July 7, 2004		

FEETRANSMITTAL
Application Number 09/967
Filing Date Septem
First Named Inventor Dong-

180.00

(\$)

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

Complete if Known			
Application Number	09/967,220		
Filing Date	September 28, 2001		
First Named Inventor	Dong-Yuan Chen		
Examiner Name	Michael J. Yigdall		
Art Unit	2122		
Attorney Docket No.	42390P11197		

METHOD OF PAYMENT (check all that apply)				FE	E CALCULATI	ON (continue	ed)	
Check Confit and Money Cother Mana	3. A	DDITIO	NAL	FEES	3			
☐ Check ☐ Credit card ☐ Money ☐ Other ☑ None ☐ Deposit Account	Large	Entity	ı Sma	li Entity	,			
Deposit Account	Fee	Fee	Fee	Fee	-			
Deposit Account 02-2666	Code	(\$)	Code	(\$)	Fee	e Description		Fee Paid
Number U2-2000	1051	130	2051	65	Surcharge - late filing	fee or oath		
Deposit	1052	50	2052	25	Surcharge - late prov cover sheet.	isional filing fee or		
Account Name Blakely, Sokoloff, Taylor & Zafman LLP	2053	130	2053	130	Non-English specifica	ation		
The Commissioner is authorized to: (check all that apply)	1812	2,520	1812	2,520	For filing a request for		ation	
Charge fee(s) indicated below Credit any overpayments	1804	920*	1804	920 '	Requesting publication Examiner action	on of SIR prior to		
Charge any additional fee(s) or underpayment of fees as required under 37	4005	1,840 *	4005	1,840 °	Requesting publication	on of SID after		
CFR §§ 1.16, 1.17, 1.18 and 1.20. Charge fee(s) indicated below, except for the filing fee	1805	1,040	1805	1,040	Examiner action	on or on ane.		1 1
to the above-identified deposit account	1251	110	2251	55	Extension for reply wi	thin first month		
FEE CALCULATION	1252	420	2252	210	Extension for reply wi	thin second month		
1. BASIC FILING FEE	1253	950	2253	475	Extension for reply wi	thin third month		
Large Entity Small Entity	1254	1,480	2254	740	Extension for reply wi	thin fourth month		
Fee Fee Fee Fee Fee Fee Pead Code (\$) Code (\$)	1255	2,010	2255	1,005	Extension for reply wi	thin fifth month		
1001 770 2001 385 Utility filing fee	1404	330	2401	165	Notice of Appeal			
1002 340 2002 170 Design filing fee	1402	330	2402	165	Filing a brief in suppo	rt of an appeal		
1003 530 2003 265 Plant filing fee	1403	290	2403	145	Request for oral hear	ing		
1004 770 2004 385 Reissue filing fee	1451	1,510	2451	1,510	Petition to institute a	public use proceedi	ing	
1005 160 2005 80 Provisional filing fee	1452	110	2452	55	Petition to revive - un	avoidable		
SUBTOTAL (1) (\$)	1453	1,330	2453	665	Petition to revive - un	intentional		
	1501	1,330	2501	665	Utility issue fee (or re	issue)		
2. EXTRA CLAIM FEES Extra Fee from	1502	480	2502	240	Design issue fee			
Ctaims below Fee Paid	1503	640	2503	320	Plant issue fee	-11		
Independent State	1460 1807	130 50	1807	130 50	Petitions to the Comr Processing fee under			<u> </u>
Claims X = X Multiple Dependent	1806	180	1806	180	Submission of Inform		mt	180.00
Large Entity Small Entity	8021	40	8021	40	Recording each pater			100:00
Fee Fee Fee Fee Description	5021		002.	-10	property (times numb			1
Code (\$) Code (\$)	1809	770	1809	385	Filing a submission at	ter final rejection		
1202 18 2202 9 Claims in excess of 20					(37 CFR § 1.129(a))			
1201 86 2201 43 Independent claims in excess of 3	1810	770	2810	385	For each additional in examined (37 CFR §			
1203 290 2203 145 Multiple Dependent claim, if not paid	1801	770	2801	385	Request for Continue	d Examination (RCI	E)	
1204 86 2204 43 "Reissue independent claims over original patent	1802	900	1802	900	Request for expedited	f examination		<u> </u>
1205 18 2205 9 "Reissue claims in excess of 20 and over	Other fe	e (specify)	l	Resp	of a design application onse to Office Action	1		0.00
original patent								
SUBTOTAL (2) (\$)	. Bodom	by Basic Film	n Enn Pri	4		CUDTOTAL (2)	(6)	
**or number previously paid, if greater, For Reissues, see below	, and	oy cost (TE)	910078		···	SUBTOTAL (3)	(\$)	180.00
SUBMITTED BY						Comp	lete (if applica	ble)
Name (Print/Type) Mark C. Van Ness		egistrationey/Age		3	39,865	Telephone	(303) 740	0-1980
						·		
Signature ////////////////////////////////////	11		1			Date	07/07	//04

Docket No.: 42390P11197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e the Application of:

DONG-YUAN CHEN, ET AL.

Application No.: 09/967,220

Filed: September 28, 2001

For: Hardware Assisted Dynamic

Optimization of Program Execution

Art Group: 2122

Examiner: Michael J. Yigdall

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

07/13/2004 MBLANCB 00000010 09967220

01 FC:1806

180.00 OP

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: July 07, 2004

Mark C. Van Ness, Reg. No. 39,865

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (303) 740-1980

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Annie G. Pearson

Date

07-07-04

SOF			· · · · · · · · · · · · · · · · · · ·			
Substitute for form 1449A/PTO				Complete if Known		
INFORMATION DISCLOSURE		CUDE	Application Number	09/967,220		
		SURE	Filing Date	September 28, 2001		
STATEMENT BY APPLICANT			CANT	First Named Inventor	Dong-Yuan Chen	
(use as many sheets as necessary)			Art Unit	2122		
	1		-,,,	Examiner Name	Michael J. Yigdall	
Sheet	1	of	2	Attorney Docket Number	42390P11197	

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number - Kind Code² (if known)	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	1	US-5,999,736	12-07-1999	Gupta et al.		
	2	US-6,044,221	03-28-2000	Gupta et al.		
	3	US-6,212,489 B1	04-03-2001	Klein et al.		
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				

	FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document			Pages, Columns, Lines,	т6	
Initials*	No.'	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear		
	ļ						
						<u> </u>	
	ļ		i				

Examiner	Date	
Signature	Considered	

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

^{&#}x27;Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Enter Office that issued the document, by the two-letter code (MIPO Standard ST.3). *For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

TADE Ubstitute for form 1449A/PTO
INICORMATION [

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

of 2 Sheet 2

Complete if Known			
Application Number	09/967,220		
Filing Date	September 28, 2001		
First Named Inventor	Dong-Yuan Chen		
Art Unit	2122		
Examiner Name	Michael J. Yigdall		
Attorney Docket Number	42390P11197		

	NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.'	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	4	Bala et al, "Dynamo: A Transparent Dynamic Optimization System",			
		www.hpl.hp.com/cambridge/projects/Dynamo, pgs 1-12			
			ļ		
			-		
	-		 		
		·	ļ		
			-		
			:		
			:		
			 		
			'		
			-		
			:		
		I			

		The state of the s
Examiner	Dat	e
Signature	Cor	nsidered

^{*}ExamIner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

^{&#}x27;Applicant's unique citation designation number. 'Applicant is to place a check mark here if English language Translation is attached.